UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/844,204	04/27/2001	Patrick J. MeLampy	050115-1010	1439

			EXAMINER
24504 7590 08/08/2005			TON, DANG T

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ART UNIT	PAPER NUMBER
2666	

DATE MAILED: 08/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

		Application No.	Applicant(s)
	Office Action Summary	09/844,204	MELAMPY ET AL.
		Examiner	**Art Unit**
		DANG T. TON	2666

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>27 April 2001</u>.

2a)☐ This action is **FINAL**.　　　2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-62</u> is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-62</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All　b)☐ Some *　c)☐ None of:

　　1.☐ Certified copies of the priority documents have been received.

　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>5/23/2005</u>.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

1. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

2. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970);and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent

of record may sign a terminal disclaimer. A terminal disclaimer

signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 1-62 are provisionally rejected under the judicially

created doctrine of obviousness-type double patenting as being

unpatentable over claims 1-62 of copending Application No.

09/844,964 . Although the conflicting claims are not identical,

they are not patentably distinct from each other because of the

following formalities:

For claims 1-62, the claims 1-62 of the copending Application

No. 09/844,964 disclose a system for controlling real-time

transport protocol flow through multiple networks via use of a

media flow routing, comprising: a first computer connected to a

second computer, via a plurality of associated computers,

wherein each of the first computer, the second computer, and the

plurality of associated computers comprise; a transceiver;

software stored therein defining functions to be performed; and

a processor configured by the software to perform the steps of,

performing an inbound screen on route information received from

the second computer, to determine if the received route

information should be discarded, if the route information is not

discarded, comparing the received and screened route information

to a local policy defined within the first computer, and

selecting a primary route from the received route information

and local route information in accordance with

the local policy, wherein the primary route is a path from the

first computer to the second computer via the plurality of

associated computers;

wherein each of the plurality of associated computers is capable

of receiving the received and screened route information and

transmitting the information to another of the plurality of

associated computers in a path to the second computer, such that

a real-time transport protocol flow is divided between each of

the plurality of associated

computers;

wherein the received route information is provided within a

telephony routing over Internet protocol (TRIP) update message;

wherein the local policy is stored on a storage unit that is

capable of storing internal route information and route

information from the received and screened route information;

wherein each of the computers is further configured by their
respective software to perform the step of, selecting the
primary route from a group of routes comprising the internal
route information and the received and screened route
information;

wherein the processor is further configured by the software to
perform the step of, processing a received session initiation
protocol (SIP) invite message that is received on the primary
route.

wherein the processor is further configured by the
software to perform the step of , performing an outbound screen
on the received and screened information prior to transmitting
the received and screened route information to the first
computer, wherein the outbound screen is performed on the
primary route prior to the transceiver transmitting the
primary route.

 wherein the local policy comprises an activate date and time
field that defines a date and time for the local policy to be
enabled by the processor.

wherein the local policy comprises a de-activate date and time field that defines a date and time for the local policy to be disabled by the processor.

wherein the local policy comprises an origin field.

wherein the processor is further configured by the memory to perform the function of, comparing the origin field within the local policy to an origin attribute comprised by the received route information, if the received route information comprises the origin attribute, and utilizing the local policy if the origin attribute at least partially matches the origin field

wherein the processor is further configured by the memory to perform the function of, utilizing the local policy if the TRIP update message does not comprise an origin attribute.

wherein the format of the origin attribute and the origin field conforms to E.164 style addresses, Internet style addresses, SIP telephone addresses, or non-SIP telephone addresses.

wherein the local policy comprises a destination field.

wherein the processor is further configured by the software to perform the step of, comparing the destination field within the local policy to a destination attribute comprised by the received route information, if the received route information comprises the destination attribute, and utilizing the local policy if the destination attribute at least partially matches the destination field.

wherein the format of the destination attribute and the destination field conforms to E.164 style addresses, Internet style addresses, SIP telephone addresses, or non-SIP telephone addresses.

wherein the local policy comprises a carrier field that identifies a number of carriers from which the route information will be accepted.

wherein the processor is further configured by the software to perform the step of, discarding the received route information if a carrier attribute comprised by the received route information does not match at least one carrier identified by the carrier field.

wherein the local policy comprises a cost field that identifies an acceptable range of cost to be billed for use of a route.

wherein the processor is further configured by the software to perform the step of, discarding the received route information if a cost attribute comprised by the received route information does not fall within the acceptable range of cost identified by the cost field.

wherein the local policy comprises a quality of service (QoS) field that identifies an acceptable range of QoS associated with use of a route.

wherein the processor is further configured by the software to perform the step of, discarding the received route information if a QoS attribute comprised by the received route information does not fall within the acceptable range of QoS cost identified by the QoS field.

a method of controlling real-time transport protocol flow via use of media flow routing, comprising the steps of: receiving information regarding a route from a first computer to a second computer, via a plurality of associated computers; performing

an inbound screen on the route information received from the

first computer, to determine if the received route information

should be discarded; if the route information is not discarded,

comparing the received and screened route information to a local

policy; and selecting a primary route from the received route

information and local route information in accordance with the

local policy, wherein the primary route is a path from the

second computer to the first computer via the plurality of

associated computers.

wherein the route is for ranges that conform to E. 164 style

numbering, Internet style addresses of endpoints, SIP telephone

addresses, or non-SIP telephone addresses.

wherein each of the plurality of associated computers is

capable of receiving the received and screened route information

and transmitting the information to another of the plurality

computers in a path to the first computer, such that a real-time

transport protocol flow is divided between each of the plurality

of associated computers.

further comprising the step of processing a received session

initiation protocol (SIP) invite message that is received on

the primary route.

further comprising the step of performing an outbound screen on

the received and screened route information prior to

transmitting the received and screened information, wherein the

outbound screening is performed on the primary route prior to

transmitting the primary route.

further comprising the step of enabling the local policy on a

specified date and at a specified time in accordance with an

activate date and time field defined by the local policy.

further comprising the step of disabling the local policy on a

specified date and at a specified time in accordance with a

de-activate date and time field defined by the local policy.

wherein the local policy comprises an origin field.

further comprising the step of comparing the origin field within

the local policy to an origin attribute comprised by the

received route information, if the received route information

comprises the origin attribute, and utilizing the local policy

if the origin attribute at least partially matches the origin

field.

wherein the format of the origin attribute and the origin field

conforms to E.164 style addresses, Internet style addresses, SIP

telephone addresses, or non-SIP telephone addresses.

wherein the route information is provided within a telephony

routing over Internet protocol (TRIP) update message.

wherein the local policy comprises a destination field.

further comprising the step of comparing the destination field

within the local policy to a destination attribute within

the received route information, if the received route

information comprises the destination attribute, and utilizing

the local policy if the destination attribute at least partially

matches the destination field.

wherein the format of the destination attribute and the

destination field conforms to E.164 style addresses, Internet

style addresses, SIP telephone addresses or non-SIP telephone

addresses.

wherein the local policy comprises a carrier field that
identifies a number of carriers from which the route information
will be accepted.

further comprising the step of discarding the received route
information if a carrier attribute comprised by the received
route information does not match at least one carrier identified
by the carrier field.

wherein the local policy comprises a cost field that identifies
an acceptable range of cost to be billed for use of a route.

further comprising the step of discarding the received route
information if a cost attribute comprised by the received route
information does not fall within the acceptable range of cost
identified by the cost field.

wherein the local policy comprises a quality of service (QoS)
field that identifies an acceptable range of QoS associated with
use of a route.

further comprising the step of discarding the received route
information if a QoS attribute comprised by the received route

information does not fall within the acceptable range of QoS

cost identified by the QoS field.

a system for controlling real-time transport protocol flow via

use of a media flow routing, comprising: means for receiving

information regarding a route from a first computer to a second

computer, via a plurality of associated computers; means for

performing an inbound screen on the route information

received from the first computer which determines if the

received route information should be discarded; means for

comparing the received and screened route information to a local

policy stored within the second computer if the route

information is not discarded; and means for selecting a primary

route from the received route information and local route

information in accordance with the local policy, wherein the

primary route is a path from the second computer to the first

computer via the plurality of associated computers.

wherein the route is for ranges that conform to E.164 style

numbering, Internet style addresses of endpoints, SIP telephone

addresses, or non-SIP telephone addresses.

wherein each of the plurality of associated computers is capable of receiving the received and screened route information and transmitting the information to another of the associated computers in a path to the first computer, such that a real-time transport protocol flow is divided between each of the plurality of associated computers.

further comprising a means for processing a received session initiation protocol (SIP) invite message that is received on the primary route.

further comprising a means for performing an outbound screen on the received and screened route information, which performs the outbound screen prior to transmitting the received and screened information to the first computer and wherein the means for performing an outbound screen performs outbound screening on the primary route prior to transmitting the primary route.

further comprising a means for enabling the local policy on a specified date and at a specified time in accordance with an activate date and time field defined by the local policy.

further comprising a means for disabling the local policy on a
specified date and at a specified time in accordance with a
de-activate date and time field defined by the local policy.

   wherein the local policy comprises an origin field.

further comprising a means for comparing the origin field within
the local policy to an origin attribute within the
received route information, wherein the means for comparing
compares if the received route information comprises the origin
attribute, and utilizes the local policy if the origin attribute
at least partially matches the origin field.

wherein the format of the origin attribute and the origin field
conforms to E.164 style addresses, Internet style addresses, SIP
telephone addresses, or non-SIP telephone addresses.

wherein the route information is provided within a telephony
routing over Internet protocol (TRIP) update message.

wherein the local policy comprises a destination field.

further comprising a means for comparing the destination field

within the local policy to a destination attribute within

the received route information, wherein the means for comparing

compares if the received route information comprises the

destination attribute, and utilizes the local policy if the

destination attribute at least partially matches the destination

field.

wherein the format of the destination attribute and the

destination field conforms to E.164 style addresses, Internet

style addresses, SIP telephone addresses, or non-SIP telephone

addresses.

wherein the local policy comprises a carrier field that

identifies a number of carriers from which the route information

will be accepted.

further comprising a means for discarding the received route

information if a carrier attribute within the received route

information does not match at least one carrier identified by

the carrier field.

wherein the local policy comprises a cost field that identifies
an acceptable range of cost to be billed for use of a route.

further comprising a means for discarding the received route
information if a cost attribute within the received route
information does not fall within the acceptable range of cost
identified by the cost field.

wherein the local policy comprises a quality of service (QoS)
field that identifies an acceptable range of QoS associated with
use of a route.

further comprising a means for discarding the received route
information if a QoS attribute within the received route
information does not fall within the acceptable range of QoS
cost identified by the QoS field.
NOTE: See claims 1-62 of the copending application number
09/844,964.

   Applicant's claims 1-62, merely broaden the scope of the
copending application number 09/844,964 of the claims 1-62 by
eliminating the terms "via a plurality of associated computers,
wherein each of the first computer, the second computer, and the
plurality of associated computers comprise" and " selecting a

primary route from the received route information and local

route information in accordance with the local policy, wherein

the primary route is a path from the first computer to the

second computer via the plurality of associated computers" from

claim 1, claim 23, and claim 43 of the copending application. It

has been held that the omission of an element and its function

is an obvious expedient if the remaining elements perform the

same function as before. In re karlson, 136 USPQ 184 (CCPA).

Also note Ex Parte Raine, 168 USPQ 375 (bd. App. 1969); omission

of a reference element whose function is not need would be

obvious to one skilled in the art.

        This is a <u>provisional</u> obviousness-type double patenting

rejection.

        3. The nonstatutory double patenting rejection is based on

a judicially created doctrine grounded in public policy (a

policy reflected in the statute) so as to prevent the

unjustified or improper timewise extension of the "right to

exclude" granted by a patent and to prevent possible harassment

by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29

USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225

USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214

USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619

(CCPA 1970);and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644

(CCPA 1969).

A timely filed terminal disclaimer in compliance with 37

CFR 1.321(c) may be used to overcome an actual or provisional

rejection based on a nonstatutory double patenting ground

provided the conflicting application or patent is shown to be

commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent

of record may sign a terminal disclaimer. A terminal disclaimer

signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 1-62 are provisionally rejected under the judicially

created doctrine of obviousness-type double patenting as being

unpatentable over claims 1-62 of copending Application No.

09/844,992. Although the conflicting claims are not identical,

they are not patentably distinct from each other because of the

following formalities:

For claims 1-62, the claims 1-62 of copending Application

No. 09/844,992 disclose a system for controlling real-time

transport protocol flow, comprising: a plurality of computers

that are connected to a first computer, wherein each of

the plurality of computers comprise; a transceiver; software

stored within the plurality of computers defining functions to

be performed by the plurality of computers; and a processor

configured by the software to perform the steps of, performing

an inbound screen on route information received by the plurality

of computers, from the first computer, to determine if the

received route information should be discarded, if the route

information is not discarded, comparing the received and

screened route information to a local policy defined within the

plurality of computers; and a database on which the local

policy is stored, wherein the local policy is used by each of

the associated computers within the cluster of computers.

wherein a single address is used for all of the plurality of

computers.

wherein the received route information is provided within a

telephony routing over Internet protocol (TRIP) update message.

wherein the database also stores internal route information and

route information from the received and screened route

information.

wherein the processor is further configured by the software to

perform the step of, selecting a primary route from a group of

routes comprising the internal route information and the

received and screened route information.

wherein the processor is further configured by the software to

perform the step of, processing a received session initiation

protocol (SIP) invite message that is received on the primary

route.

wherein the processor is further configured by the software to

perform the step of, performing an outbound screen on the

received and screened information prior to transmitting the

received and screened information outside the cluster of

computers, wherein the outbound screen is performed on the

primary route prior to the transceiver transmitting the

primary route to the first computer.

wherein the local policy comprises an activate date and time

field that defines a date and time for the local policy to be

enabled by the second processor.

wherein the local policy comprises a de-activate date and time

field that defines a date and time for the local policy to be

disabled by the second processor.

wherein the local policy comprises an origin field.

wherein the processor is further configured by the software to

perform the step of, comparing the origin field within the

local policy to an origin attribute within the received route

information, if the received route information comprises the

origin attribute, and utilizing the local policy if the origin

attribute at least partially matches the origin field.

wherein the processor is further configured by the software to

perform the step of, utilizing the local policy if the TRIP

update message does not comprise an origin attribute.

wherein the format of the origin attribute and the origin field

conforms to E. 164 style addresses, Internet style addresses,

and, SIP telephone addresses or non-SIP telephone addresses.

wherein the local policy comprises a destination field.

wherein the processor is further configured by the software to

perform the step of, comparing the destination field within

the local policy to a destination attribute within the received

route information, if the received route information comprises

the destination attribute, and utilizing the local policy if the

destination attribute at least partially matches the destination

field.

wherein the format of the destination attribute and the

destination field conforms to E. 164 style addresses, Internet

style addresses, SIP telephone addresses, or non-SIP telephone

addresses.

wherein the local policy comprises a carrier field that

identifies a number of carriers from which the route information

will be accepted by the plurality of computers.

wherein the processor is further configured by the software to

perform the step of, discarding the received route information

if a carrier attribute comprised by the received route

information does not match at least one carrier identified by

the carrier field.

wherein the local policy comprises a cost field that identifies

an acceptable range of cost to be billed for use of a route.

wherein the processor is further configured by the software to

perform the step of, discarding the received route information

if a cost attribute comprised by the received route information

does not fall within the acceptable range of cost identified by

the cost field.

wherein the local policy comprises a quality of service (QoS)

field that identifies an acceptable range of QoS associated with

use of a route.

wherein the processor is further configured by the software to

perform the step of, discarding the received route information

if a QoS attribute within the received route information does

not fall within the acceptable range of QoS cost identified by

the QoS field.

method of controlling real-time transport protocol flow,

comprising the steps of: receiving information regarding a route

from a first computer to a plurality of computers; performing

an inbound screen on the received route information to determine

if the received route information should be

discarded; and if the received route information is not

discarded, comparing the received and screened route information

to a local policy that is used by the computers within plurality

of computers.

wherein the route is for ranges conformed to E. 164 style

numbering, Internet style addresses of endpoints, SIP telephone

addresses, or non-SIP telephone addresses.

 further comprising the step of selecting a primary route from a

group of routes comprising, information regarding an internal

route that is associated with the local policy, and the received

and screened route information.

further comprising the step of processing a received session

initiation protocol (SIP) invite message that is received on

the primary route.

further comprising he step of performing an outbound screen on

the received and screened information prior to transmitting

the received and screened information outside the plurality of
computers, wherein the outbound screening is performed on the
primary route prior to transmitting the primary route.

further comprising the step of enabling the local policy on a
specified date and at a specified time in accordance with an
activate date and time field defined by the local policy.

further comprising the step of disabling the local policy on a
specified date and at a specified time in accordance with a
de-activate date and time field defined by the local policy.
wherein the local policy comprises an origin field.

further comprising the step of comparing the origin field within
the local policy to an origin attribute within the
received route information, if the received route information
comprises the origin attribute, and utilizing the local policy
if the origin attribute at least partially matches the origin
field.

wherein the format of the origin attribute and the origin field
conforms to E. 164 style addresses, Internet style addresses,
SIP telephone addresses, or non-SIP telephone addresses.

wherein the route information is provided within a telephony

routing over Internet protocol (TRIP) update message.

wherein the local policy comprises a destination field.

further comprising the step of comparing the destination field

within the local policy to a destination attribute comprised

by the received route information, if the received route

information comprises the destination attribute, and utilizing

the local policy if the destination attribute at least partially

matches the destination field.

wherein the format of the destination attribute and the

destination field conforms to E. 164 style addresses, Internet

style addresses, SIP telephone addresses, or non-SIP telephone

addresses.

wherein the local policy comprises a carrier,field that

identifies a number of carriers from which the route information

will be accepted.

further comprising the step of discarding the received route
information if a carrier attribute within the received route
information does not match at least one carrier identified by
the carrier field.

wherein the local policy comprises a cost field that identifies
an acceptable range of cost to be billed for use of a route.

further comprising the step of discarding the received route
information if a cost attribute with the received route
information does not fall within the acceptable range of cost
identified by the cost field.

wherein the local policy comprises a quality of service (QoS)
field that identifies an acceptable range of QoS associated with
use of a route.

further comprising the step of discarding the received route
information if a QoS attribute comprised by the received route
information does not fall within the acceptable range of QoS
cost identified by the QoS field.

system for controlling real-time transport protocol flow through

multiple networks, comprising: means for receiving information

regarding a route from a first computer to a plurality of

computers; means for performing an inbound screen on the

received route information configured to determine if the

received route information should be discarded; and means for

comparing the received and screened route information to a local

policy that is used by the plurality of computers if the route

information is not discarded.

 wherein the route is for ranges conformed to E. 164 style

numbering, Internet style addresses of endpoints, SIP telephone

addresses, and non-SIP telephone addresses.

further comprising a means for selecting a primary route from a

group of routes comprising, information regarding an internal

route that is associated with the local policy, and the received

and screened route information.

further comprising a means for processing a received session

initiation protocol (SIP) invite message that is received on

the primary route.

 further comprising a means for performing an outbound screen on

the received and screened information, configured to perform the

outbound screen prior to transmitting the received and screened

information outside of the plurality of computers, and wherein

the means for performing the outbound screen performs outbound

screening on the primary route prior to transmitting the primary

route outside of the plurality of computers.

 further comprising a means for enabling the local policy on a

specified date and at a specified time in accordance with an

activate date and time field defined by the local policy.

further comprising a means for disabling the local policy on a

specified date and at a specified time in accordance with a

de-activate date and time field defined by the local policy.

wherein the local policy comprises an origin field.

further comprising a means for comparing the origin field within

the local policy to an origin attribute within the

received route information if the received route information

comprises the origin attribute, and which utilizes the local

policy if the origin attribute at least partially matches the

origin field.

wherein the format of the origin attribute and the origin field

conforms to E. 164 style addresses, Internet style addresses,

SIP telephone addresses, or non-SIP telephone addresses.

wherein the route information is provided within a telephony

routing over Internet protocol (TRIP) update message.

wherein the local policy comprises a destination field.

further comprising a means for comparing the destination field

within the local policy to a destination attribute within

the received route information if the received route information

comprises the destination attribute, and which utilizes the

local policy if the destination attribute at least partially

matches the destination field.

wherein the format of the destination attribute and the

destination field conforms to E. 164 style addresses, Internet

style addresses, SIP telephone addresses, or non-SIP telephone

addresses.

wherein the local policy comprises a carrier field that

identifies a number of carriers from which the route information

will be accepted.

further comprising a means for discarding the received route

information if a carrier attribute with the received route

information does not match at least one carrier identified by

the carrier field.

wherein the local policy comprises a cost field that identifies

an acceptable range of cost to be billed for use of a route.

further comprising a means for discarding the received route

information if a cost attribute comprised by the received route

information does not fall within the acceptable range of cost

identified by the cost field.

wherein the local policy comprises a quality of

service (QoS) field that identifies an acceptable range of QoS

associated with use of a route.

further comprising a means for discarding the received route

information if a QoS attribute comprised by the received route

information does not fall within the acceptable range of QoS

cost identified by the QoS field.

NOTE: See claims 1-62 of the copending application number

09/844,992.

Applicant's claims 1-62, merely broaden the scope of the

copending application number 09/844,992 of the claims 1-62 by

eliminating the terms " a plurality of computers " from claims

1,23,and 43; and "a database on which the local policy is

stored, wherein the local policy is used by each of

the associated computers within the cluster of computers " from

the claim 1 of the copending application.. It has been held that

the omission of an element and its function is an obvious

expedient if the remaining elements perform the same function as

before. In re karlson, 136 USPQ 184 (CCPA). Also note Ex Parte

Raine, 168 USPQ 375 (bd. App. 1969); omission of a reference

element whose function is not need would be obvious to one

skilled in the art.

    This is a _provisional_ obviousness-type double patenting

rejection because the conflicting claims have not in fact been

patented.

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Moharram(6,704,287) is cited to show a system which is considered pertinent to the claimed invention.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANG T. TON whose telephone number is 571-272-3171. The examiner can normally be reached on MON-WED, 5:30 AM-6:00 PM and Thur 5:30-9:30 A.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, RAO SEEMA can be reached on 571-272-3174. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

D. Ton

DANG TON
PRIMARY EXAMINER